IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. 998 OF 2004

Office notes, office Memoranda of Coram, appearances, Court's orders or directions & Registrar's orders	Court's or Judge's Orders

Mrs.M.H.Mhatre, APP for the State.

CORAM: R.S.Mohite, J.
DATE : 13th January, 2006.

P.C.:

1. This is an appeal filed by the State impugning the judgment and order passed by the Judicial Magistrate First Class, Khed on 30.04.2004 acquitting the accused for the offences punishable under section 354 and 506 of the Indian Penal Code. On perusal of the impugned judgment and order, it is seen that the same has been passed on cogent and acceptable reasons. It has been held that evidence indicates difference of version as regards the words said to

have been uttered. The Complainant Aruna and her mother-in-law-Sakhubai had talked about different words. There was further discrepancy in the evidence of these two witnesses. Aruna talked about the incident having occured before her mother-in-law. But Sakhubai talked about the same incident occurring before she arrived. There is also discrepancy in the place where this incident occurred. Parties are in enimical terms with each other and there is a pending case relating to the dispute over land. In the circumstances, the view taken is a possible view. Hence, leave is refused and consequently, the appeal stands dismissed.

(R.S.Mohite, J.)